

**REMARKS/ARGUMENTS**

Claims 1-4, 6-15 and 17-27 are pending in this application. By this Amendment, claims 1, 12, 17 and 18 are amended, and claims 5 and 16 are canceled without prejudice or disclaimer. Withdrawal of the rejections in view of the above amendments and the following remarks is respectfully requested.

**I. Rejection Under 35 U.S.C. §102(b)**

The Office Action rejects claims 1-5, 9, 11-15, 19 and 27 under 35 U.S.C. §102(b) over U.S. Patent No. 4,835,991 to Knoop et al. (hereinafter “Knoop”). Claim 5 is canceled. The rejection, in so far as it applies to the remaining claims, is respectfully traversed.

Independent claim 1 is directed to a washing machine that includes a fluid level sensing apparatus. Independent claim 1 recites that the fluid level sensing apparatus comprises an air chamber configured to be installed in communication with the tub, wherein the air chamber is configured to store a predetermined amount of air such that a pressure of the washing fluid held in the tub imposes a corresponding pressure on the stored air, a tube configured to be installed in communication with the air chamber, a sensor coupled to the tube and configured to sense a washing fluid level by sensing an air pressure in the tube, and a protecting member configured to enclose a connecting portion formed between the air chamber and the tub. Independent claim 12 recites similar features in varying scope. Knoop neither discloses nor suggests at least such features, or the respective claimed combinations of features.

Knoop discloses a top loading agitator type washing machine 10 in which a water level is

monitored by a pressure sensor 44. The pressure sensor 44 includes a first chamber 50 attached to an outer surface of the tub 14, and a separate second chamber 52 connected to the first chamber 50 by a conduit 54. The second chamber 52 is elevated with respect to the first chamber 50, and is connected to an electronic pressure transducer 64 by a conduit 62. As the tub 14 fills, the first chamber 50 acts as a reservoir, and fills and overflows into the conduit 54 to partially fill the second chamber 52, causing increased pressure in air trapped in the second chamber 52 and the conduit 62. This pressure is detected by a transducer 64, which signals a microprocessor 68 to initiate a wash cycle.

The Office Action asserts that the first chamber 50 is appropriately compared to the protecting member recited in independent claims 1 and 12. However, as acknowledged in the Office Action, the first chamber 50 is simply a holding tank or reservoir which attaches the conduit 54 and second chamber 52 serially to the tub 14 to direct water towards or away from the second chamber 52 based on a water level and/or oscillatory movement of the tub 14. This connection provided by the first chamber 50, which the Office Action asserts prevents disassembly of the conduit 54 and second chamber 52 from the tub 14, is merely to provide a path for the flow of water therethrough so that pressure can be monitored as described above. The first chamber 50 and its connection to the tub 14 provide no protection to the second chamber 52 and/or the conduit 54, and thus it is respectfully submitted that the first chamber 50 disclosed by Knoop is not properly compared to the recited protecting member.

However, even in Knoop's first chamber 50 were improperly compared to the recited

protecting member, Knoop still neither discloses nor suggests a protecting member as recited in independent claims 1 and 12. More specifically, as set forth above, the first chamber 50 is simply a hollow holding tank or reservoir that holds air, water, or a mixture thereof. Knoop neither discloses nor suggests that the first chamber encloses any type of connecting portion that extends between the tub 14 and the conduit 54, as does the protecting member recited in independent claim 1. Further, Knoop neither discloses nor suggests that the first chamber 50 includes any type of rib, let alone a rib that extends from an air chamber to enclose a connecting portion formed between such an air chamber and a tube, as does the protecting member recited in independent claim 12.

For at least these reasons, it is respectfully submitted that independent claims 1 and 12 are not anticipated by Knoop, and thus the rejection of independent claims 1 and 12 under 35 U.S.C. §102(b) over Knoop should be withdrawn. Dependent claims 2-4, 9, 11, 13-15, 19 and 27 are allowable at least for the reasons set forth above with respect to independent claims 1 and 12, from which they respectively depend, as well as for their added features.

## **II. Rejections Under 35 U.S.C. §103(a)**

The Office Action rejects claims 6-8 and 16-18 under 35 U.S.C. §103(a) over Knoop. The Office Action also rejects claims 10 and 20-26 under 35 U.S.C. §103(a) over Knoop in view of U.S. Patent No. 6,447,017 to Gilbreath (hereinafter "Gilbreath"). Claim 16 is canceled. These rejections, in so far as they apply to the remaining claims, are respectfully traversed.

Dependent claims 6-8, 10, 17, 18 and 20-26 are allowable over Knoop at least for the

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reasons set forth above with respect to independent claims 1 and 12, from which they respectively depend, as well as for their added features. Further, it is respectfully submitted that it would not have been obvious to modify the washing machine 10 disclosed by Knoop in the manner suggested in the Office Action. Additionally, Gilbreath is merely cited as allegedly teaching a boss and a flange, and thus fails to overcome the deficiencies of Knoop. Accordingly, it is respectfully submitted that claims 6-8, 10, 17, 18 and 20-26 are allowable over the respective applied combinations, and thus these rejections should be withdrawn.

### **III. Conclusion**

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **Joanna K. Mason**, at the telephone number listed below.

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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,  
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